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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,922	05/10/2001	Toshihiro Kuroita	10089/14	5846
23838	7590	01/14/2008	EXAMINER	
KENYON & KENYON LLP			HUTSON, RICHARD G	
1500 K STREET N.W.				
SUITE 700			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20005			1652	
			MAIL DATE	DELIVERY MODE
			01/14/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09852922	5/10/2001	KUROITA ET AL.	10089/14

EXAMINER

Richard G. Hutson

ART UNIT	PAPER
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1652 20080109

DATE MAILED:

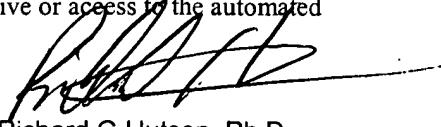
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Commissioner for Patents

It continues that the reply filed on 11/9/2007 as well as the previous reply filed on 7/11/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants reply to the previous Ex Parte Quayle sent to applicants on 5/24/2007, is insufficient to overcome the referenced sequence issue. The basis of this non-compliance is that the sequence referred to in applicants specification at page 10, line 10, "DIETLYH", is different than SEQ ID NO: 35 of the sequence of submitted by applicants most recent sequence listing of 10/6/2006. This being noticed it appears that the sequence listing submitted by applicants on 10/6/2006, may also raise new issues in that the sequence listed as SEQ ID NO: 35 is "DIETKYH" and this sequence cannot be found in applicants specification. It is believed that applicant's intent was to include a sequence identifier for "DIETLYH", however the added sequence identifier was for "DIETKYH". The above was further communicated to applicant's representative , Mr King Wong on 1/9/2008, so that the issue would be clearly communicated and applicants would have the opportunity to correct this issue throughout the application. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard G. Hutson whose telephone number is 571-272-0930. The examiner can normally be reached on M-F, 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapu Achutamurthy can be reached on 571-272-0928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Richard G. Hutson, Ph.D.
Primary Examiner
Art Unit: 1652